

INTERVENTION  
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**THE ARIZONA POWER PLANT AND TRANSMISION LINE  
SITING COMMITTEE**

IN THE MATTER OF THE APPLICATION OF )  
THE ARIZONA PUBLIC SERVICE )  
COMPANY IN CONFORMANCE WITH THE )  
REQUIREMENTS OF ARIZONA REVISED )  
STATUTES SECTION 40-360, et. seq., FOR A )  
CERTIFICATE OF ENVIRONMENTAL )  
COMPATIBILITY AUTHORIZING THE WEST )  
VALLEY NORTH PROJECT INCLUDING )  
THE CONSTRUCTION OF )  
APPROXIMATELY 25 MILES OF 230 kV )  
TRANSMISSION LINES AND TWO )  
SUBSTATIONS IN MARICOPA COUNTY, )  
ARIZONA, ORIGINATING AT THE TS2 )  
SUBSTATION IN SECTION 25; TOWNSHIP 3 )  
NORTH, RANGE 2 WEST G&SRB&M AND )  
CONTINUING TO THE PROPOSED TS1 )  
SUBSTATION IN SECTION 20, TOWNSHIP 4 )  
NORTH, RANGE 2 WEST, G&SRB&M AND )  
TERMINATING AT THE PROPOSED TS5 )  
SUBSTATION IN SECTION 29, TOWNSHIP 4 )  
NORTH, RANGE 4 WEST, G&SRB&M. )

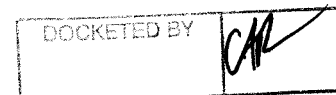
Docket NO. L-00000D-04-0127

Case No. 127

**NOTICE OF INTENT TO INTERVENE**

Arizona Corporation Commission  
**DOCKETED**

JAN 13 2005



Pursuant to A.R.S. §40-360.05 and A.A.C. R14-3-204, Hogan, Parker, Ivan and McDuff, LLC, an Arizona limited liability company ("HPIM") by and through its undersigned counsel, hereby files its Notice of Intent to Intervene in the above captioned matter. HPIM respectfully request that the Committee enter an Order allowing it to

1 intervene at the Hearing to be held on this matter. This Notice is made and supported by the  
2 Memorandum of Points and Authorities submitted herewith and all exhibits attached hereto.

### 3 MEMORANDUM OF POINTS AND AUTHORITIES

#### 4 **I. INTRODUCTION**

5 The Arizona Public Service Company ("APS") has filed an Application for  
6 Certificate of Environmental Compatibility (the "CEC Application") for its proposed West  
7 Valley North Transmission line project (the "Project"). HPIM will be directly and  
8 materially affected by the outcome of this Hearing and the siting of the Project.  
9

#### 10 **II. ARGUMENT: HPIM Should be Permitted to Intervene in the Hearing on** 11 **this Matter**

12 Pursuant to A.R.S. § 40-360.05, the Committee may allow intervention as it deems  
13 appropriate. Given the location of the HPIM's property and the important interests that this  
14 line siting will affect, HPIM should be allowed to intervene in this matter. HPIM holds an  
15 interest in an approximately 1046 acre parcel of real property (the "Property") on which the  
16 Applicant is seeking to place the proposed TS5-10 Substation (the "Substation"). HPIM is  
17 planning to develop the Property to accommodate residential housing; a use that is at odds  
18 with the Substation.  
19

20 HPIM will demonstrate that there are far better locations available for the Substation.  
21 In fact, in deciding to place the Substation on private land, the Applicant ignored  
22 opportunities to place the Substation on nearby land that is not privately owned and is  
23 subject to an easement held by the Central Arizona Project. Further, opportunities exist to  
24  
25

1 move the Substation at least partially on to neighboring land that is currently zoned for  
2 industrial use; a use that is compatible with the presence of a large substation.

3 HPIM seeks the opportunity to challenge the placement of the Substation and  
4 proposes moving the Substation to the more suitable CAP easement or to the east to share  
5 the burden with the adjoining industrially zoned land. This is a sensible solution that  
6 protects the interest of private landowners while recognizing the need for this project.  
7

8 WHEREFORE, HPIM respectfully requests that the Committee enter an Order  
9 allowing it to intervene in this matter.

10  
11 DATED this \_\_\_\_ day of January 2005.

12 Jorden Bischoff McGuire Rose & Hiser PLC

13   
14

15 Court S. Rich 021290  
16 7272 E. Indian School Road Suite 205  
17 Scottsdale, Arizona 85251  
18 Attorneys for Plaintiff  
19

20 Pursuant to A.A.C. R14-3-204,  
21 the ORIGINAL and 25 copies were  
22 filed this \_\_\_\_ day of January, 2005,  
23 with:

24 Docket Control  
25 Arizona Corporation Commission  
1200 W. Washington  
Phoenix AZ 85007

1 COPY of the foregoing mailed (or emailed where noted) this  
2 \_\_\_\_ day of January, 2005, to:

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